

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gross ) Art Unit: 3623  
Serial No.: 10/771,094 ) Examiner: Not Assigned  
Filed: 02/02/2004 )  
For: *Media queue replenisher* )

NOTICE OF CONCURRENT LITIGATION PROCEEDINGS  
PROVIDED PURSUANT TO MPEP 2001.06(c)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56 and MPEP 2001.06(c) the Patent Owner hereby submits the present Notice of Concurrent Litigation Proceeding involving the following patent: 7,389,243 - which is the subject of an action in Northern District of California captioned as MEDIA QUEUE V. NETFLIX ET AL., NO. CV-09-01027.

The present application and the above patent both derive support from a common provisional application.

Respectfully submitted,



J. Nicholas Gross  
Registration No. 34,175  
Attorney for Patent Owner

April 13, 2009  
2030 Addison Street  
Suite 610  
Berkeley, CA 94704  
(510) 540 – 6300  
(510) 540 - 6315